

IN THE United States District Court
For The Middle District of Tennessee
Nashville Division

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AUG 11 2014

U.S. DISTRICT COURT
MID. DIST. TENN.

Marlin Williamson,
Plaintiff

vs.

John Baxter, Medical Director,
Brendy Ashe, Health Administrator,
Robert Coble, Medical Doctor,
Betsy, Nurse Practitioner,
OCTON, Nurse, and
Petty, Nurse.

Defendants

No. _____

Complaint For Violation of Civil Rights
Under 42 U.S.C. 1983

I. Jurisdiction

1. This is a Civil Rights Action authorized by 42 U.S.C. 1983 to redress the deprivation, under color of State law, of rights secured by the Constitution of the United States. The Court has jurisdiction under 28 U.S.C. 1331 and 1343 (2) (3). Plaintiff, Marlin Williamson, seeks declaratory relief pursuant to 28 U.S.C. 2201 and 2202. Plaintiff, Marlin Williamson claim for injunction Relief are authorized by 28 U.S.C. 2283 and 2284 and Rule 65 of the Federal Rules of Civil Procedure.

2. The Middle District of Tennessee is an appropriate venue under 28 U.S.C. 1391 (b)(2) because it is where the events giving rise to this claim occurred.

II. Plaintiff

3. Plaintiff, Martin Williamson, is and at all times mentioned herein a prisoner of the State of Tennessee and in the custody of CCA/Southcentral Correctional Center at Post Office Box 279, Clifton, Tennessee 38425.

III. Defendants

4. Defendant, John Baxter, is the appointed Medical Director for Corrections Corporation of America (hereinafter "CCA") a private corporation that is contracted to house and care for state inmates of the State of Tennessee. Defendant holds office at Corrections Corporation of America Headquarters 10 Burton Hill Blvd, Nashville Tennessee 37215 Defendant is being sued in it individual and official capacity, at all times mentioned herein.

5. Defendant, Wendy Ashe, is the appointed Health Administrator at CCA/Southcentral Correctional Center (hereinafter "SCCC") 555 West Forrest Street Clifton Tennessee 38425-0279. She is being sued in her individual and official capacity at all times mentioned herein.

6. Defendant, Robert Coble, is the contracted medical doctor at CCA/SCCC. He is legally responsible for providing medical treatment to all inmates of the CCA/SCCC facility. He hold office at 555 West Forrest Street, Clifton Tennessee 38425. He is being sued in his individual and Official Capacity, at all time mention herein.

7. Defendant, Berry is a Nurse Practitioner at CCA/SCCC. Nurse Practitioner Berry is responsible for screening inmates medical records and for scheduling inmates for medical appointment by contract doctor. She hold office at 555 West Forrest Street, Clifton Tennessee 38425. She is being sued in her individual and official capacity at all time mention herein.

8. Defendant, Olton, is a Nurse at CCA/SCCC. She hold office at 555 West Forrest Street, Clifton Tennessee 38425. She is being sued in her individual and official capacity at all times mention herein.

9. Defendant, Perry, is a Nurse at CCA/SCCC. She hold office at 555 West Forrest Street, Clifton Tennessee 38425. She is being sued in her individual and official capacity at all time mention herein

IV Exhaustion

10. Plaintiff, Mallin Williamson, contend that he has Exhausted all Available Administrative Remedies Regarding the matters described in this Complaint. See Attached (DOC policy #501.01, Section II, H, 8 Inmate Grievance Policy) Exhibit-"A"

V. Exhaustion of Administrative Remedies

11. Plaintiff Mallin Williamson, was time barred due to his hospitalization on this issue, as pursuing through all steps of the grievance procedure and has Exhausted his Administrative Remedies Regarding this issue through all steps of the grievance procedure hereto. See Exhibit "B"

VI. Factual Allegations

12. Plaintiff is bringing this Complaint against the Defendants alleging Deliberate Indifference and/or imminent danger, against Defendants Wendy Ashe, Robert Coble, Barry, Olson and Perry.

13. In the month of March 2014, Plaintiff Arrived at Corrections Corporation of America (hereinafter "CCA") Southeastern Correctional Center (hereinafter "SECC") from the DOC Classification Center at Dadeville and the intake nurse at SECC was informed that Plaintiff was a diabetic Patient that Require treatment daily.

14. Plaintiff alleges the Defendants Coble and Berry allowed a chronic medication to expire and that a clear and unquestionable violation of TOOC policy[#], Chronic medication should not expire, Specially medication that if the plaintiff is without cause imminent danger to plaintiff life. Nurse Orlon informed Plaintiff had expired at the medical window, this was on April 15, 2014.

15. ON MAY 17, AND 18, 2014, Plaintiff Sign-up on Sick call requesting to see Nurse Practitioner Berry and/or Doctor Coble concern Renewal of Diabetes Medication.

16. ON MAY 19, 2014, Plaintiff begin to experience severe abdominal pain, light headed and couldn't keep food or liquid upon his stomach.

17. ON MAY 20, 2014, the Plaintiff was finally seen by one unknown nurse at the infirmary, and upon hearing the Plaintiff medical complaint, the unknown nurse alleged the Plaintiff was suffering with gas and prescribed Malanta.

18. ON MAY 22, 2014, Plaintiff returned to the infirmary upon Emergency Medical, the Plaintiff could barely stand up and his entire body was just weak all over.

19. ON MAY 23, 2014, Plaintiff Return to the infirmary by aide of fellow inmates for emergency medical. The Plaintiff was suffering with symptoms that was worse than any he had even know. Stomach ache, muscle spasms, Dizziness, foot swell up, Just Complete body in severe pain. Once inside the infirmary and/or Nurse Station, Nurses Oton and Petty Refuse to see Plaintiff and Claim that Plaintiff pretending to be hurting and Start smiling and laughing at Plaintiff body spasms.

Nurse Petty threatened Plaintiff with a drug test, which Plaintiff welcome any type care as long as it provided relief.

Nurses Oton, and Petty placed plaintiff in a room in the infirmary for what was supposedly be over nights.

Plaintiff alleges approximately two to three hours later on, the Plaintiff was emergency Rush to the outside hospital Wayne County Medical Center where the plaintiff Sugar level was reported over 900 points.

Plaintiff became conscious at the Wayne County Medical Center at Columbia Tennessee, where the Doctors alleged that he had almost pass-away and was in a Diabetic Coma upon Arrival at their Medical Center. When the threat of death was over. Plaintiff was then transferred to Special Needs facility at Nashville on MAY 25, 2014.

20. Plaintiff Alleges that Defendant John Baxter, as Corporation Headquarter Medical Director, he come responsible for employing Professional Medical Staff that adequately conduct their duties in making sure inmates receive proper and adequate medical care.

Defendant Baxter, is employing Medical Personnel that save money for the Corporation at the risk of Human life. Corrections Corporation of America is a profit for Corporation. The Medical Staff Operation under Defendant Baxter Leadership, has one goal. That Corporation profits, Not Prisoners health.

VIII. PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully pray that this Court enter Judgment.

21. Granting Plaintiff Williamson a declaration that the Acts and Omissions described herein Violated his Rights under the Constitution and laws of the United States, and

22. Issue A preliminary and permanent injunction Ordering defendants Baxter, Ashe, Coble, Berry, Oton and Petty to immediately cease their practice of Not Ordering Chronic Care Medication for Prisoners with Serious illness, Such as Diabetes.

23. Granting Plaintiff's Compensatory damages in the Amount of \$50,000 dollars against each defendants Jointly and Severally

24. Plaintiff seeks Compensatory damages of \$5,000 dollars against Defendants individually against Baxter, Coble, Berry.

25. Plaintiff seek punitive damages in the Amount of \$50,000 dollars. Plaintiff seeks these damages each defendants Jointly and Severally.

26. Plaintiff seek a Trial by Jury of his peers, upon all triable Claims

27. Plaintiff Also seek Recovery of their Costs in this suit for Postages and Copy cost

28. Any additional Relief this Court deems, Just Proper and equitable

Respectfully Submitted

Martin Williamson

Martin Williamson TDOC #313444

CCA/SCCC Unit BA-208

P.O. Box 279

Clifton TN 38425

8.

8/8/14